

REMARKS

Independent claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Netsurfer in view of Ziplink.

Claim 21 calls for...prevent[ing] the customer from adding software or hardware to the system. There is nothing in Netsurfer or Ziplink that discloses preventing a customer from adding software or hardware to the claimed system.

In the Office action, the examiner points to pushing content or software updates as an indicator of a customer's ability to add software or hardware. Paper No. 13, page 3. But, pushing content or software updates has no bearing whatsoever on preventing a customer from adding software or hardware to a system. As such, the examiner has not shown where the prior art teaches or suggests every limitation of claim 21. For this reason, *prima facie* obviousness has not been established with respect to independent claim 21 and claims dependent thereon.

Independent claim 1 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Netsurfer in view of Ziplink.

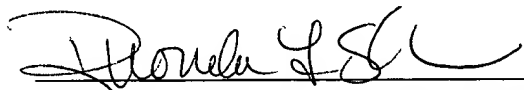
Amended claim 1 calls for... controlling the ability of the customer to add software or hardware to a processor-based system used by the customer to access the Internet services, control including restraining the customer's ability to add software or hardware. Merely providing pushed content or updates in no way suggests restraining the customer's ability to add software or hardware. To control the system, it may be advantageous to control the software and hardware on the user's system. Thus, an automated process is provided for preventing the addition of software or hardware on the user's system. As such, it is respectfully submitted that independent claim 1 and claims dependent thereon are not obvious.

Under a similar analysis, amended independent claim 11 and its dependent claims are also believed to be patentable.

In view of the amendments and remarks herein, the application is believed to be in condition for allowance. The examiner's prompt action in accordance therewith is respectfully requested. The commissioner is authorized to charge any additional fees, including extension of time fees, or credit any overpayment to Deposit Account No. 20-1504(ITL.0391US).

Respectfully submitted,

Date: December 1, 2004



Rhonda L. Sheldon, Reg. No. 50,457
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Suite 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]

Customer No.: 21906